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International Court of Justice

H0995-0002

OFFICIAL TRANSCRIPT OF TESTIMONY FOR THE DEFENSE OF ORGANIZATIONS, TAKEN BEFORE A COMMISSION APPOINTED BY THE INTERNATIONAL MILITARY TRIBUNAL PURSUANT TO PARAGRAPH 4 OF THE ORDER OF THE TRIBUNAL DATED 13 MARCH 1946.

27 June 1946

COMMISSIONER:

Mr. George R. Taylor

CORPS OF POLITICAL LEADERS

(The Commission convened at 1000 Hours)

DR. KARL FRANZ CHUDOBA, a witness, took the stand and testified as follows:

MR. TAYLOR: The witness is reminded that he is still under oath.

THE WITNESS: Yes sir.

RE-DIRECT EXAMINATION RESUMED

BY DR. LINK:

Q. Witness, you have at the request of Col. Jones made a statement yesterday concerning what might have happened if there would have been no Gaudozentenfuhrer or Gaustudentenfuhrer. If I understood your statement correct, it was because the Gaudozentenfuhrer and Gaustudentenfuhrer had the possibility on a primary basis, the scientific qualifications of people, to be appointed or nominated or transferred. Is that correct?

A. This is absolutely correct. It applies not only to the Gaustudentenfuhrer, but also to the local Studentenfuhrer. It means that all the parts of the Dozentenbund can represent the scientific interests of all their manner.

Q. And as you said, the political reliability was reported by the Kreisleiter or the SD, and not by the Dozentenfuhrer or Studentenfuhrer?

A. At first only the Kreisleiter and SD were enabled to report on these people.

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It is rather clear that these two officer were in no position to evaluate correctly the scientists as an individual and in respect to his scientific work. The Dozentenbund served as an instrument for science to be able to be put on the same level and other national functions as something alive.

Q. Yesterday the possible number of those concerned was discussed. Do you know that you have been called by me to be a witness also for the student level, so that two witnesses will not be required. I wonder if you are conscious to the fact that while you were agreeing to the approximate figures quoted by Col. Jones, if you realized that by adding the theoretical numbers as they appear in the Organization Book, the basic figures would have been multiplied?

A. There was no enlargement by the Dozentenbund as indicated by the Organization Book. There were certain enlargements in the Studentenbund, but they did not belong to the Gau Staff, but into the membership organization of the Studentenbund itself. It is important to notice neither the Dozentenfuhrer nor the Studentenfuhrer were in a position to transfer any reports within the Party levels, because on Kreis level, as the prosecution remarked yesterday, there was no connection between the Dozentenbund, Studentenbund or Kreisleiter. This makes it quite clear that neither the Dozentenfuhrer nor Studentenfuhrer were in any way at all staff officers on the Gauleiter Staff.

Q. Yesterday, it was mentioned that there was no compulsion for students to belong to the Party in order to enable them to study. That basically may be correct. In answer to Col. Jones' question - how about other organizations, by which obviously were meant the combat organizations - SA and SS. It was demanded, but not completely put in practice. My colleagues from the SA are calling my attention to the fact that there was an order out which demanded that in order to register with the university, one had to belong to a combat organization, and this was supervised by the so-called SA-university offices.

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LT. COL. GRIFFITH JONES: Dr. Link has not let us see this order or given us the reference number of this order.

DR. LINK: My colleagues of the SA have copies of that order and is not within our possession.

LT. COL. GRIFFITH JONES: The witness can be asked if ~~it xxxx~~ there was such an order, and if answer is yes, I think we ought to see the order.

DR. LINK: I wish to ask for permission after this problem has been opened on the cross examination that a colleague from the SA may ask a question pertaining to this matter.

MR. TAYLOR: Any objection to this, Colonel Jones?

LT. COL. GRIFFITH JONES: I have no objection to Dr. Aschenauer or counsel for the SA being permitted to re-examine this witness.

ASCHENAUER FOR THE SA.

Q. Dr. Chudoba, I want to ask you - was there an SA-Hochschulamter (activity office) in the years 1933 to 1934?

A. I wanted to answer to Dr. Link's question in the year 1933 -34, but we of the SA-university offices, there was an obligation for people who wished to be registered to belong to the SA or one of its organizations. As far as I can recall the SA-university offices existed in only 1933 and 1934, so that later on this was no longer required.

Q. ~~It is~~ Is it correct that the students themselves destroyed the effectiveness of the SA-university offices, because they didn't desire to serve in the SA?

A. I know too much about students not to know that they always were of a revolutionary spirit. They actually rejected it forcfully - particularly because some SA-university offices demanded matters from the students irreconcilable with their study. May I be permitted to say that at the time, those men responsible for the leadership in universities and who today again have been responsible

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for the universities, permitted the SA-university offices to ~~xxxxx~~ wrought over them, which is to say that the demands of the students as opposed to the demands of the masters came into first place.

COL. KAREV: We are not interested at this moment in the students. We are ~~xxxxxxx~~ concerned with the SA. We do not believe that question is relevant.

MR. TAYLOR: Proceed with your other questions please.

MR. ASCHENAUER: I want to answer the objection. I do not agree with the Russian prosecutor for the point is that leader pressure was exerted on the students which forced them into compulsory SA membership. I'm calling your attention to a new directive in 1936 which caused the transfer of the members of the students' association completely into the SA.

LT. COL. GRIFFITH JONES: Sir, we respectfully cannot have Mr. Aschenauer's giving evidence and still ask him not to give the decree in 1936. He is meant to be re-examining this witness. The evidence of this witness which he is giving at the moment is like the statement that Mr. Aschenauer is making to the Commission. I would suggest that he continue with your approval with the examination of the witness.

MR. TAYLOR: Prosecution's remarks are well taken and the re-direct examination should be continued along the lines stated, and let the witness answer the questions please. Proceed with the examination of the witness.

Q. Is it correct to say that after the opposition and hostile attitude of the students to the SA-university offices, the State then turned to order and edicts regarding studies and professional career in order to force the students into the Party?

A. Of course there was uninterrupted pressure on the students, because one considered ~~xx~~ studying a privilege which was bore by the financial resourses

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of the people, so that the students were considered to be obligated to the Nation - that is to say to the State.

Q. Is it true that the assumed obligation which we just mentioned had the effect of making the students' works to put forth efforts to require members?

A. The local student organizations and student works demanded, in fact, that students belong to such organizations if any financial support would be asked for.

Q. Did the Reich Education Minister or the Ministry of Science back up these demands for membership?

A. The student works were registered societies which were subordinate to the directives of the Reich Education Ministry, which is to say an official State authority.

Q. Do you know whether all directives pertaining to these students' works were amalgamated into one directive issued in 1937 by the Reich Education Minister?

A. I know of this because simultaneously a reorganization of students' works took place.

Q. Is it correct that in 1936 all students' associations were dissolved and partially attached to the N.S. Studentenbund?

A. That is correct.

Q. Is it correct that the directive was issued demanding that these people who were attached to the N.S. Studentenbund had to do services with the SA or their dependent organizations?

A. Membership in the Studentenbund was voluntary, but if one belonged to the Studentenbund, the fulfillment of the demand to belong to a Party organization was a matter of course.

Q. Isn't is so that in the winter and summer semester of 1936, membership in the Studentenbund and comrade was made obligatory?

A. For the first three semesters it was obligatory.

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Q. And consequently there was a possibility for refusal?

A. I cannot say that exactly, because at that time I was not a rector.

MR. ASCHENAUER: I have no further questions.

MR. TAYLOR: Does the prosecution have any further cross examination.

LT. COL. JONES: No sir.

COL. KAREV: No sir.

MR. TAYLOR: Very well, Dr. Link, ~~xxx~~ proceed.

By DR. LINK:

A. One last question, regarding the matters which you have just been asked about by the defense counsel of the SA. Did you know these things on the basis of having been a university president and professor or did you know about the things in your capacity as Gaudozentenfuhrer?

A. In my capacity as Gaudozentenfuhrer and as Gaudozentenleiter I had nothing to do with it. I know about these things, because quite coincidently it happened in 1936, I directed the students' work of the Bonn university.

DR. LINK: No further questions.

MR. TAYLOR: Any cross examination of the re-direct.

LT. COL. JONES: No sir.

MR. TAYLOR: Very well the witness will be excused.

Adjourned: 1045 Hours.

The foregoing is a true and correct transcript of the testimony of DR. KARL FRANZ CHUDOBA, taken on 26 and 27 June 1946.

Bernina Winkler
Reporter (pp -

Reporter (pp-

CERTIFIED TO: Robert Taylor
Commissioner

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Q. Yesterday the possible number of those concerned was discussed. Do you know that you have been called by me to be a witness also for the student level, so that two witnesses will not be required. I wonder if you are conscious to the fact that while you were agreeing to the approximate figures quoted by Col. Jones, if you realized that by adding the theoretical numbers as they appear in the Organization Book, the basic figures would have been multiplied?

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Adjourned: 1045 hours.

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